
Minutes
Regular Meeting
April 23, 2014

Attendance: Mayor Kenneth Neilson, Councilmen Garth Nisson, Thad Seegmiller, Kress Staheli, Jeff Turek, City Manager Roger Carter, City Attorney Jeff Starkey, City Recorder Danice Bulloch, Deputy Recorder Tara Pentz, Community Development Director Drew Ellerman, Public Works Director Mike Shaw, Police Chief Jim Keith, Audience: Steve Barker, Marge Belliston, Larry Belliston, Karen Whiting, DeAnna Fausett, Janice Howick, Gene Payne, Margo Payne, Darrell Egbert, Betty Egbert, Larry Westover, Ella Sarasalo, Jim Raines, Elizabeth Simmons, Rich Winget, Mel Weeks, Dariene Weeks, Carol Bower, Dan Bower, Tom Evans, Jerry Parkinson, Bruce Dockstader, Bob Hermandson, Mark Simmons, Sharon Simmons, Debbie Tudor, John Cherry, Tyson Williams, Giedre Stropus, Carolyn Rogers, Larry Rogers, Tami Peterson, Doug Jackson, Allen Mathews, Faith Havick, June Ann Howard, Allen Holland, Leon A. Green, Wendy Warren, Thom Brown, Steve Postma, Kathy Postma, Jon Gum, Sue Gum, Lea Anderson, Mike Anderson, Kyle Pasley, Darla Mortenson, Lynnette Judd, Marilee Bonny, Dennis Bonny, Gil Bird, Debbie Wonnacott, David Wonnacott, Shellie Mattinsen, Pamela Merrill, Debbie Spitzer, Joan Bryce, Glenn Bingham, Elisabeth Bingham, Kolene Granger

Meeting commenced at 6:06 P.M.

Invocation: Councilman Kress Staheli

Pledge of Allegiance: Councilman Thad Seegmiller

*Mayor Neilson excused Councilman Ronald Truman from the meeting.

1. APPROVAL OF THE AGENDA

Mayor Neilson requested Item 5A be removed from the Agenda.

Councilman Kress Staheli asked that Item 5B be heard after the discussion the Preliminary Plat Item 6B.

Councilman Staheli made a motion to approve the agenda with the removal Item 5A and for Item 5B to be heard after Item 6B. Councilman Turek seconded the motion; which passed with the following roll call vote:

<i>Councilman Nisson</i>	<i>Aye</i>
<i>Councilman Seegmiller</i>	<i>Aye</i>

Councilman Staheli Aye
Councilman Turek Aye

2. ANNOUNCEMENTS

Mayor Neilson reminded everyone of the Cotton Days Celebration which begin this Saturday April 26, 2014.

3. DECLARATION OF ABSTENTIONS & CONFLICTS

4. CONSENT AGENDA

APPROVAL OF MINUTES: Consideration to approve the minutes from the City Council Meetings of 4/08/14, 4/09/14 and 4/18/14.

Councilman Turek made a motion to approve the consent agenda. Councilman Nisson seconded the motion; which passed with the following role call vote:

Councilman Nisson Aye
Councilman Seegmiller Aye
Councilman Staheli Aye
Councilman Turek Aye

5. AGREEMENTS

A. Consideration to approve an Interlocal agreement with the Ironman. Kevin Lewis, Washington County Tourism Office

Removed

B. Consideration to approve a Development Agreement for The Escapes at Sunrise Residences. Applicant: Jim Raines, Brennan Holdings No 100, LLC

City Attorney Jeff Starkey reviewed the Development Agreement explaining he feels the Development Agreement complies with all of the requirements as set forth in the previous approvals.

Councilman Staheli commented the agreement will give assurances the subdivision will be built to the what is being shown in the preliminary plat.

Councilman Turek asked if SITLA plans to pave the trailhead area.

Mr. Pasley stated SITLA would prefer three trailheads. However, they have been shut down by the Red Cliffs Desert Reserve Habit Conservation Plan (HCP). When the final plat is brought to City Council, the actual plat will show some parking area. They would most likely not have more than 5 parking areas, but there will be paving.

Councilman Turek stated he just wanted on the record there would be some parking area.

City Attorney Starkey asked if they want a completed trailhead prior to the completion of the final plat.

Councilman Staheli stated he would like the trailhead completed upon development of whichever phase it is located.

Mr. Pasley stated the HCP is going to want the parking area to remain dirt until such time as the development around it is completed. They are the approving body.

City Attorney Starkey stated they can put language in the development agreement consistent with whatever the approval process would be.

Mr. Bingham asked if there can be a requirement in the development of a park, if the City agrees to maintain it.

Councilman Turek stated with what is happening just to the east of this property, there will be parks in place.

Mr. Bingham asked if they could be required to place an additional road to either Exit 13 or Main.

Mr. Winget asked if the development agreement has a requirement to build to Wiltshire Blvd.

Mr. Pasley stated the completion of Washington Parkway has many moving parts. It is not that they are not in favor of discussion of the road, but this is huge amounts of capital, and SITLA has been working with the City. The other connection being requested cannot happen because it does not meet the guidelines of the City.

Councilman Staheli asked if open space can be built as a park.

Public Works Director Mike Shaw stated the drainage area could be built and used as a park. He would also like to note, he is in discussion with SITLA on the Washington Parkway. There is a lot of working being done to address the Green Springs Interchange as well as the other traffic areas.

City Attorney Starkey stated our Council has to have 3 votes for any motion to pass. This does not mean the item is done. The Council can make an additional motion to come back and vote on an item at another meeting with a full quorum.

Councilman Turek stated there was some discussion with the developer about the park.

Mr. Paisley commented looking at the detention area, there is close to 3 acres, which they could develop as a park. He is comfortable working with City Staff to make the tie in to the existing park as much as possible, while maintaining a detention area. He would like to see the area usable.

Councilman Seegmiller asked for clarification to a footnote referring to the landscaping being

similar to that in the Washington Fields.

City Attorney Starkey confirmed it is obviously not the case.

Community Development Director Ellerman recommended the wording should note the landscaping to match that of Concord Parkway.

City Attorney Starkey stated you have also asked for a provision the trailhead be developed to the approval of the City, Owner and HCP. SITLA is agreeing to this, as the trailhead and paving needs to go in.

Councilman Seegmiller made a motion to approve a Development Agreement for The Escapes at Sunrise Residences amended to reflect the additional language for the development of the detention/park area to be more of a park in conjunction with the City Park Staff, Wiltshire Blvd. to be completed in the first phase, and the trailhead will be developed consistent with Washington City Staff and the HCP. Councilman Staheli seconded the motion; which passed with the following roll call vote:

<i>Councilman Nisson</i>	<i>Nay</i>
<i>Councilman Seegmiller</i>	<i>Aye</i>
<i>Councilman Staheli</i>	<i>Aye</i>
<i>Councilman Turek</i>	<i>Aye</i>

*Councilman Seegmiller left for the evening.

6. PRELIMINARY PLAT

A. Continuation for the consideration to approve the Preliminary Plat for The Escapes at Sunrise Residences, located at approximately 1700 North 1200 West, north of Northbridge Subdivision. Applicant: Jim Raines, Brennan Holdings No. 100, LLC

Community Development Director Drew Ellerman reviewed:

This item was originally tabled at the City Council meeting of March 12, 2014. For the reason of the proposed development agreement needing better framework for council consideration and/or acceptance. The newly proposed agreement has been reviewed by staff and is found to be an agreement that is appropriate for the circumstances of this application.

The item was again tabled at the April 9, 2014 meeting (this time at the applicant request) due to the attempt to work out some lot changes as requested by the surrounding property owners and at the request of Councilman Staheli who had met with those surrounding property owner spokesmen. The applicant had also found out that day (April 9th) that the home builder they had been working with was dropping out of the project, thus wanted to have a little more time to work on the new proposed design.

The original staff review read as the following: *The applicant is requesting approval of a Preliminary plat for The Escapes at Sunrise Residences subdivision, located at approximately 1200*

West 1700 North. The applicant is wishing to develop 179 lots on an area covering 67.76 acres. The location of this particular project is zoned Single-Family Residential - 12,000 square foot min. (R-1-12) for approximately three hundred fifty feet (350') on the southern boundary and Single-Family Residential - 10,000 square foot min. (R-1-10) for approximately three hundred feet (300') above the (R-1-12) designation, and Single-Family Residential - 8,000 square foot min. (R-1-8) for the remainder of the development. The surrounding zoning is R-1-15 and Open Space to the west, Open Space and PUD to the north, PUD (Northbridge) to the south, and R-1-10 and PUD to the east.

The proposed subdivision conforms to the subdivision requirements and other city ordinances as it relates to this location. A development agreement has been submitted with this project, it was promised to the City Council during the zoning approval process by the developer. The "newly proposed" development agreement is attached to this report for your review.

The Planning Commission reviewed this request at their February 19, 2014 meeting, and a lengthy discussion was had by staff, the commissioners and surrounding property owners. Staff explained that this project went through extensive discussion during the zone change review by City Council and that indeed the City Council overturned the Planning Commissions 3-2 vote for denial. It was also discussed that the City Council had indeed taken into consideration the Planning Commission and the residents comments that if a "feathering of lot sizes" were to take place that the project would be more acceptable. The Council then approved a zone change with R-1-8, R-1-10 and R-1-12 zoning classifications at this location.

With that said, the Planning Commission (by a split opinion) felt the "feathering" approved by the City Council was not enough of a divide between the R-1-12, R-1-10 and R-1-8 zoning districts which were approved. Staff tried to explain that the zoning districts approved by Council are the zone districts that indeed were established and conform with the proposed preliminary plat, and are the minimum lot sizes for their given zoning which is now in place.

Since the recommendation for denial by the Planning Commission, the applicant has re-worked the proposed subdivision by changing several of the lots out the R-1-8 lot size and into the R-1-10 lot size which will be shown at the City Council meeting. I will attach both preliminary plats for your review. The "Development Agreement" is likewise attached for review.

The Planning Commission, by a vote of 3-2, recommended denial of the Preliminary plat for The Escapes at Sunrise Residences subdivision to the City Council, based on the following findings and subject to the following conditions:

Findings

1. The preliminary plat meets the land use designation as outlined in the General Plan for the proposed area.
2. That the preliminary plat conforms to the Zoning and the Subdivision Ordinances as conditioned.

Conditions

1. A final drainage study and grading and drainage plan shall be submitted for review and approval prior to moving dirt. Development of the site shall comply with the recommendations of

the geotechnical study and drainage study, and improvements for drainage and detention shall be approved by the Public Works Department.

2. A final geotechnical study shall be submitted to the City for review and approval prior to submitting the final plat. All recommendations of the geotechnical study shall be adhered to.
3. Construction drawings for the subdivision and its infrastructure shall be submitted to the City for review and approval prior to the submittal for final plat.
4. The construction drawings shall adequately address prevention of nuisance storm water drainage across lots. If retaining walls are utilized to prevent cross-lot drainage, the developer shall be responsible for installing said retaining walls.
5. At the time of final plat submittal, the following documents shall also be submitted:
 - A. A title report.
 - B. A copy of any deed restrictions, other restrictions, restrictive covenants, architectural controls, or other requirements that may apply to the development (CC&Rs).
6. All detention areas shall be landscaped and all detention and landscaped areas shall be maintained by the property owners and/or homeowners association. A note shall be placed on the plat stating that the City has the right to assess the property owners and/or homeowners association for failing to maintain the detention and landscaped areas.
7. A final landscaped plan and fencing plan shall be submitted for review and approval prior to the submittal of the final plat. Landscaping and fencing shall be installed prior to the occupancy of the buildings that will be constructed along the landscaped and fenced areas.
8. All landscaping, walls and other structures shall meet sight distance requirements. A note shall be placed on the final plat stating that the City has the right to assess the property owners and/or homeowners association for failing to maintain sight distance requirements.
9. Driveway locations are to be approved by the Public Works Department.
10. Any proposed blasting for the development of the subdivision requires the submittal of a blasting plan with the construction drawings and issuance of a blasting permit.
11. Post Construction Maintenance Agreement will need to be recorded prior to Final Plat recordation.

Councilman Seegmiller asked for the actual square footage of Lots 135 - 138.

Community Development Director Ellerman reviewed those lot sizes with Council, as they are all four nearly 10,000 square feet. The development has made a considerable concession with this development. The original zoning approval allows for a much higher density on the east portion of the development. However, in order to appease the citizens, they have made many lots considerably larger than required. He reviewed several maps with Council with colored areas, which make the zoning designations clearer to recognize.

Councilman Staheli asked if there was a gain in lots.

Community Development Director Ellerman explained there were some lots lost. They also adjusted some of the boundaries, and were able to make additional lots where there was going to be a community center. The density is well below what the General Plan requires.

Councilman Staheli asked about the open space area.

Community Development Director Ellerman stated the developer tried to conform to the landscaping in the adjacent development, Northbridge. There is landscaping along Concord Parkway, which continues in to the development.

Councilman Seegmiller asked what the park area is used for.

Community Development Director Ellerman explained it is a continuation of the detention basin on the adjacent parcel. It has been left as natural landscaping, as it has a natural drainage area.

Jim Raines thanked Council and the neighbors who have taken the time to meet with himself, as well as the developer. They have made many changes in order to accommodate the citizens in the adjacent communities. Recommendations from the Planning Commission have also been addressed. There is a trail system involved, which he reviewed on the map. He has personally been involved in most of the subdivision in the Green Springs area. He knows the area very well, and takes great pride in the developments, which have been done. He feels this development and the densities are very compatible with the surrounding properties. They are in the very bottom of the General Plan allowance. The park area is going to be landscaped, and they want it to be an amenity area, which is essentially an extension of the City Park. They can make the lots larger, but if it is done, they would have less of an open space area. There is a trailhead planned for the development as well. This is a very nice project, and will be developed by custom builders, just as the rest of the Green Springs area. They have asked the Reserve for three trailheads, but at this point they have only given approval for one.

Councilman Turek asked what the concern from the Red Cliffs Reserve is from having trailheads onto their property.

Mr. Raines stated their main concern is too much public access, mainly with unleashed animals.

Mayor Neilson stated he understands there are many people who want to speak, but he would like to ask them to not be repeated issues.

Glenn Bingham is the original developer of Northbridge. He has met with the developer, and they were told there would be different sizes of lots. However, he feels they are not putting in a development, which should be the standard of SITLA. This was not submitted as a PUD, which he feels should have been done because it would have a 30% open space requirement. They are trying to get as many homes as possible. He reviewed the densities of the adjacent subdivision as well as this proposal with Council. He feels SITLA should be held to a standard of the type of development we would want to see from them. He would like to propose the Council use the Development Agreement to set the standard for what the citizens would like to see in this area. If the density were the same as the rest of the Green Springs area, he would not care what size the lots are. He would like to see additional amenities within the development. This is the only public access for the Red Cliff Reserve, and they would like to see some parking for the area. They would also like the developer be required to make a 30% open space area.

Councilman Seegmiller stated he has not been in favor of PUD's. The developers use them for a way to get much smaller lots, and only place a larger detention basin. He does not feel requiring a PUD would get any better development at all.

Mr. Bingham stated he would be fine if it was not a PUD, but they should still have a requirement of incorporating a 30% open space requirement.

Kolene Grainger commented we need to build communities, not houses. If there are communities, the houses will build themselves. Washington City needs SITLA to build a community. There are developments such as Kayenta and Entrada, that are communities where people never want to leave. She would like Washington City to set a standard.

Larry Westover stated things do not always turn out the way they are planned. He is still concerned about the traffic. He would like to recommend the study be redone. The exit from I-15 is already problematic, and it should be fixed before we make it even worse. He feels this development is short sighted and is not feathered as it should be. He would also like to note, this large of development is going to create an economic bubble.

Rich Winget commented they have increased the size of many lots, but there are still the same number of lots. He does not feel this makes any sense. The developer had also assured the community, Henry Walker Homes would be doing this development. They have now backed out. He feels there should be some assurances.

Kyle Pasley stated he is the deputy director for SITLA. He does not want to rehash, as he has stood before Council many times. He has had some very good meetings with many citizens in this area. He would like to address the comment that SITLA should be held to a higher standard. He understands the importance of school sites, church sites, and park amenities. He would like to point out that houses nor property size made a community. Its the people that make the community. The development in Coral Canyon is a prime example of a community of diversity that works. He reviewed a future proposed plan for Exit 13, which ties in with the proposed development area. He meets with the school district on a monthly basis to make sure they are including the necessary number of schools. He also meets with the LDS Church and has met with the City with regard to placing a park. It has been indicated to him, presently there is no desire to add schools, parks or churches in the area. He then reviewed the proposed Southern Parkway location for the area. The planning is not haphazard, and has been designed with the 5-lane highway in mind. He has heard surrounding owners say they would prefer a PUD development. However, the PUD is not amenable to the large lot development. The PUD design that Northbridge enjoyed is no longer allowed. The only application, which would fall within the PUD guidelines was the townhome development. He feels it is disingenuous to be told the development which is the same as the adjacent property owners, is not desired.

Mr. Raines stated the market has slowed down. However, they will not start a phase until it is at least 80% sold. They do not flood the market with vacant homes. Part of the reason Henry Walker Homes left the development, is because the lot sizes were increased to a product they did not market. They would have preferred to come in with the PUD Zone, however, the Ordinance has been changed since Northbridge was submitted. If the same PUD Ordinance were in place, the development would meet those requirements.

David Wonnacott stated the back of his lot is near Concord Parkway. He feels these lots should be opened up more to allow access to Green Springs.

Mr. Raines explained if they are successful with the Henry Walker Homes negotiation, there would be additional connection made. However, there have been traffic studies completed, as required by Washington City. They have all been within the guidelines as allowed by Washington City.

Councilman Staheli asked if the connection would be made to Wiltshire Boulevard.

Mr. Raines stated the would make connection in the first phase.

Mr. Bingham stated he appreciates SITLA's desire to do a nice development. However, all of the amenities are all over in a different section. There is nothing included in the Green Springs area. The traffic issue is at Exit 10 and the irony of the issue there will be the added traffic of the Montessori School. He would like to require SITLA to put in a second access to Exit 13.

Larry Belliston stated his past work was appraising subdivisions. He would like to ask what these lots will sell for. There was a lot that just sold in Entrada for nearly a million dollars. This is a density type of layout rather than a value type of layout. He feels it would be very difficult to create view corridors in the type of layout presented. If Henry Walker wants small lots, that means they do cookie cutter homes.

* 7:30 P.M. Councilman Seegmiller left the meeting for a previous commitment, and will return at a later time.

Councilman Staheli asked about the amenities of the other subdivisions.

Community Development Director Ellerman explained a church is not an amenity. A church comes and buys a property, and the subdivision is amended to accommodate the church. As far as a pool, there are not many developments, which even have a pool. The Silverstone Development has open space, which was required for a large detention basin.

Councilman Staheli asked if all of those development indicated have walking trails.

Community Development Director Ellerman explained Silverstone 4 had a walking trail in their original plan, but there was encroachment from the homes, which meant they had to come back and ask for a straight zoning, because they no longer met the requirements for the PUD. We are not in a position as the City, to ask for a developer to place amenities in straight zoning. We are not allowed to ask or require that.

Ms. Grainer stated she lives in Silverstone 2 where there is a big open space in the center.

Councilman Staheli stated it has been an interesting process. He feels there is a process and order to things. There was a zone change that was requested and approved, and was part of the land use designation as approved in the General Plan. There was no compelling reason to not approve the request. What the developer is asking for is well within the bounds of the zoning which is now in place. At the end of the day, the property owner proposes the development, within the guidelines of the zone and guidelines which have been in place for a long time. As sympathetic as he is to the concerns of the citizens, it is the right of the property owner to ask for their development.

Mr. Belliston reviewed some of the other subdivision, which have open space.

Councilman Staheli stated he appreciates these open space areas.

Councilman Turek commented he agrees with what was noted by Councilman Staheli, ultimately his responsibility as a Councilman it is to stay within the bounds of our Ordinances.

Councilman Turek made a motion to approve the Preliminary Plat for The Escapes at Sunrise Residences, located at approximately 1700 North 1200 West, north of Northbridge Subdivision with the findings and conditions of Staff subject to the development agreement. Councilman Staheli seconded the motion; which passed with the following role call vote:

<i>Councilman Nisson</i>	<i>Nay</i>
<i>Councilman Staheli</i>	<i>Aye</i>
<i>Councilman Turek</i>	<i>Aye</i>

Motion Failed for lack of mandatory 3 votes.

Councilman Turek made a motion to move Items 5B and Item 6A to be voted upon after Item 9. Councilman Staheli seconded which passed with the following role call vote:

<i>Councilman Nisson</i>	<i>Aye</i>
<i>Councilman Staheli</i>	<i>Aye</i>
<i>Councilman Turek</i>	<i>Aye</i>

Councilman Turek made a motion to approve the Preliminary Plat for The Escapes at Sunrise Residences, located at approximately 1700 North 1200 West, north of Northbridge Subdivision with the findings and conditions of Staff subject to the development agreement. Councilman Seegmiller seconded the motion; which passed with the following role call vote:

<i>Councilman Nisson</i>	<i>Nay</i>
<i>Councilman Seegmiller</i>	<i>Aye</i>
<i>Councilman Staheli</i>	<i>Aye</i>
<i>Councilman Turek</i>	<i>Aye</i>

7. MINOR SUBDIVISION

A. Consideration to approve a Minor Subdivision for Sienna Hills Elementary located at approximately 850 North 1900 East. Applicant: Washington County School District

Community Development Director Drew Ellerman reviewed:

The applicant is requesting approval for the Sienna Hills Elementary Minor Subdivision, located at approximately 850 North 1900 East, Sienna Hills PCD. The applicant is wishing to break off a parcel from the existing property owned by SITLA in the form of an 11.03 acre future school site and a road dedication area of 2.36 acres that will go to the city upon build out at a future date.

The property is located within the Sienna Hills Planned Community Development (PCD).

Staff has reviewed the requested proposal, and the proposed Sienna Hills Elementary Minor Subdivision, conforms to the intent of the General Plan and meets the standards as set forth in the Zoning Ordinance and the Subdivision Ordinance of the city.

The Planning Commission unanimously recommended approval the Sienna Hills Elementary Minor Subdivision to the City Council, based on the following findings and subject to the following conditions:

Findings

1. The minor subdivision conforms to the land use designation as outlined in the General Plan for the proposed area.
2. That the minor subdivision conforms to the Washington City Subdivision Ordinance as outlined.

Conditions

1. All improvements shall be completed or bonded for prior to recording the final plat.
2. A current title report policy shall be submitted prior to recording the final plat.
3. Any referenced control monuments related to this subdivision shall be in place prior to recordation of the final plat. A stamped and signed letter from a professional land surveyor licensed in the state of Utah that verifies that the referenced control monuments are in place shall be submitted to the Community Development Department for filing prior to plat recordation.
4. That a post maintenance agreement be recorded prior to the recording of the final plat.
5. The access (ingress and egress) to and from the properties shall be reviewed and approved by the Public Works Department before the recording of the plat.
6. A final drainage study and grading and drainage plan shall be submitted for review and approval prior to moving dirt. Development of the site shall comply with the recommendations of the geotechnical study and drainage study, and improvements for drainage and detention shall be approved by the Public Works Department.
7. A final geotechnical study shall be submitted to the City for review and approval. All recommendations of the geotechnical study shall be adhered to.
8. Construction drawings shall adequately address prevention of nuisance storm water drainage across the lots. If retaining walls are utilized to prevent cross-lot drainage, the developer shall be responsible for installing said retaining walls.
9. Any required landscaping and fencing shall be installed prior to the occupancy of the buildings that will be constructed along the landscaped and fenced areas.
10. If a traffic study is deemed to be necessary by the Public Works Department, one shall be submitted for review and approval, prior to any site work or any building permits approved and issued.

Councilman Turek made a motion to approve a Minor Subdivision for Sienna Hills Elementary located at approximately 850 North 1900 East with the findings and conditions of Staff.

Councilman Staheli seconded the motion; which passed with the following roll call vote:

<i>Councilman Nisson</i>	<i>Aye</i>
<i>Councilman Staheli</i>	<i>Aye</i>

8. FINAL PLAT

A. Consideration to approve the Final Plat for The Presidio Subdivision located at the southwest corner of Washington Dam Road and Arabian Way. Applicant: Stacy Hughes

Community Development Director Drew Ellerman reviewed:

The applicant is requesting approval of a final plat for The Presidio subdivision, located at approximately at the southwest corner of Washington Dam Road and Arabian Way. This particular subdivision is proposing 9 lots on an area covering 2.861 acres. The specific location of this subdivision is zoned Single-Family Residential - 10,000 square foot min. (R-1-10). The Preliminary Plat was approved back on February 26, 2014.

Staff has reviewed the requested proposal, and the proposed final plat, conforms to the approved preliminary plat.

The Planning Commission unanimously recommended approval of the Final plat for The Presidio subdivision to the City Council, based on the following findings and subject to the following conditions:

Findings

1. The final plat meets the land use designation as outlined in the General Plan for the proposed area.
2. That the final plat conforms to the Washington City Zoning Ordinance and Subdivision Ordinance as outlined.
3. The proposed final plat conforms to the approved preliminary plat.

Conditions

1. All improvements shall be completed or bonded for prior to recording the final plat.
2. A current title report policy shall be submitted prior to recording the final plat.
3. Any referenced control monuments related to this subdivision shall be in place prior to recordation of the final plat. A stamped and signed letter from a professional land surveyor licensed in the state of Utah that verifies that the referenced control monuments are in place shall be submitted to the Community Development Department for filing prior to plat recordation.
4. Where applicable, in the General Notes where the terms "Home Owners Association", or "Property Owners", shall be changed to read as "Property Owners and/or Home Owners Association".
5. That a Post Construction Maintenance Agreement be recorded prior to the recording of the final plat.

Councilman Staheli made a motion to approve the Final Plat for The Presidio Subdivision located at the southwest corner of Washington Dam Road and Arabian Way with the findings and conditions of Staff. Councilman Nisson seconded the motion; which passed with the following role call vote:

Councilman Nisson *Aye*
Councilman Staheli *Aye*
Councilman Turek *Aye*

9. PUBLIC HEARINGS AND RELATED ORDINANCES

A. Public Hearing for the consideration to approve a Zone Change application Z-14-01, requesting to change the present zone from PUD (Planned Unit Development) to R-1-10 (Residential Single Family 10,000 Sq. Ft. Lots) zone, property is located approximately at 1800 North 1000 West. Applicant: Craig Sullivan, Old Course

Community Development Director Drew Ellerman reviewed:

The applicant is requesting approval to change the zoning of approximately 1.284 acres, located approximately at 1800 North Green Spring Drive. The requested change is from the current zoning of Planned Unit Development (PUD) to a proposed Single-family Residential - 10,000 square feet min. (R-1-10) zoning designation.

This particular location was a remnant piece of property left over from the Silverstone Phase 4 Development which was originally zoned PUD. The General Plan Land Use Designation for this location is Low Density Residential (LD) and is surrounded to the north, east, south and west by the same General Plan Land Use Designation. The surrounding zoning to this parcel is R-1-10 to the east, north and west, with PUD to the south. The south border to this property is the city's Green Spring Park.

Staff has reviewed the requested zone change and finds it to conform to the General Plan, the Zoning Ordinance and surrounding development.

The Planning Commission unanimously recommended approval of Z-14-01, for the zone change request from Planned Unit Development (PUD) to Single-family Residential - 10,000 square feet min. (R-1-10), to the City Council, based on the following findings:

Findings

1. That the requested zoning conforms to the intent of the land use designation of the General Plan.
2. That the requested zoning will be compatible with surrounding developments.
3. The the utilities that will be necessary for this type of development will be readily accessible to the site.

Councilman Staheli asked what sizes are the parcels, and where would the access points be for these lots.

Community Development Director Ellerman stated they would both access off of Wiltshire Drive.

Brandy Walker stated she is representing the developer. There are 2 separate parcels one is 24,473 square feet the other is 31,461. They are requesting R-1-10 Zone to remain consistent with the adjacent parcels.

Elizabeth Simmons clarified they are requesting two single homes.

Councilman Staheli confirmed she was correct.

Dave Wonnacott asked what the zoning was along Wiltshire.

Councilman Turek stated it is R-1-10.

No further public comments were made.

Councilman Staheli made a motion to close the public hearing. Councilman Turek seconded the motion; which passed with the following roll call vote:

<i>Councilman Nisson</i>	<i>Aye</i>
<i>Councilman Staheli</i>	<i>Aye</i>
<i>Councilman Turek</i>	<i>Aye</i>

B. Consideration to approve an Ordinance adopting Zone Change request Z-14-01, to change present zone from PUD to R-1-10.

Councilman Staheli made a motion to approve an Ordinance adopting Zone Change request Z-14-01, to change present zone from PUD to R-1-10. Councilman Nisson seconded the motion; which passed with the following roll call vote:

<i>Councilman Nisson</i>	<i>Aye</i>
<i>Councilman Seegmiller</i>	<i>Aye</i>
<i>Councilman Staheli</i>	<i>Aye</i>
<i>Councilman Turek</i>	<i>Aye</i>

C. Public Hearing for the consideration to approve a Zone Change application Z-14-02, requesting to change the present zone from OS (Open Space) to R-1-10 (Residential Single Family 10,000 Sq. Ft. Lots) Zone. Property is located approximately at 2000 North 900 West. Applicant: Matt Lowe, First Nation Investments LLC

Community Development Director Drew Ellerman reviewed:

The applicant is requesting approval to change the zoning of approximately 5.56 acres, located approximately at 2000 North Green Spring Drive. The requested change is from the current zoning of Open Space (OS) to a proposed Single-family Residential - 10,000 square feet min. (R-1-10) zoning designation.

The General Plan Land Use Designation for this location is Low Density Residential (LD) and is surrounded to the north, east, south and west by the same General Plan Land Use Designation. The surrounding zoning to this parcel is R-1-10 to the east and south, with PUD to the north, and R-1-8 to the west.

Staff has reviewed the requested zone change and finds it to conform to the General Plan, the Zoning Ordinance and surrounding proposed development.

The Planning Commission unanimously recommended approval of Z-14-02, for the zone change request from Open Space (OS) to Single-family Residential - 10,000 square feet min. (R-1-10), to the City Council, based on the following findings.

Findings

1. That the requested zoning conforms to the intent of the land use designation of the General Plan.
2. That the requested zoning will be compatible with surrounding developments.
3. The the utilities that will be necessary for this type of development will be readily accessible to the site.

* 8:14 P.M. Councilman Seegmiller returned to the meeting.

Debra Spitzer asked if the Lowes own the property.

Community Development Director Ellerman confirmed they do own the property, and they are asking to change the zone to match the surrounding properties.

Dave Wonnacott asked if it will be possible to make those other lots R-1-8 since these are now R-1-10.

Councilman Turek explained the current General Plan area does not allow R-1-8 in this area.

No further public comments were made.

Councilman Turek made a motion to close the public hearing. Councilman Nisson seconded the motion; which passed with the following role call vote:

<i>Councilman Nisson</i>	<i>Aye</i>
<i>Councilman Seegmiller</i>	<i>Aye</i>
<i>Councilman Staheli</i>	<i>Aye</i>
<i>Councilman Turek</i>	<i>Aye</i>

D. Consideration to approve an Ordinance adopting Zone Change request Z-14-02, to change present zone from OS to R-1-10.

Councilman Seegmiller made a motion to approve an Ordinance adopting Zone Change request Z-14-02, to change present zone from OS to R-1-10. Councilman Turek seconded the motion; which passed with the following role call vote:

<i>Councilman Nisson</i>	<i>Aye</i>
<i>Councilman Seegmiller</i>	<i>Aye</i>
<i>Councilman Staheli</i>	<i>Aye</i>
<i>Councilman Turek</i>	<i>Aye</i>

E. Public Hearing for the consideration to approve General Plan Amendment G-14-01. Applicant: Justin Schock is requesting to change the Land Use Designation from BP (Business Park) to MD (Medium Density Residential). The property is located at approximately 1200 West 4600 South, Washington, Utah

Community Development Director Drew Ellerman reviewed:

The applicant is seeking to amend the General Plan Land Use Map in the area located at approximately 1200 East 4600 South. The requested area covers 41.22 acres. The current Land Use designation is Business (B). The applicant is seeking approval to have the Land Use designation changed to the Medium Density Residential (MD) designation as outlined in the General Plan.

The applicant is wishing to amend this parcel for future residential growth in the area. The current surrounding General Plan Land Use designations are Medium Density Residential to the west, Medium High Density Residential to the south, Open Space to the east, and the "Parks" designation to the north.

The Planning Commission unanimously recommended approval of G-14-01 to amend the General Plan Land Use Map as outlined above and shown on the exhibit attached hereto, to the City Council.

Councilman Seegmiller asked what the opinion of Staff would be to give this commercial parcel up for a residential parcel.

Community Development Director Ellerman stated there is an access problem for this parcel if we were to try to have it developed as commercial or business.

No Public Comments were made.

Councilman Seegmiller made a motion to close the public hearing. Councilman Turek seconded the motion; which passed with the following role call vote:

<i>Councilman Nisson</i>	<i>Aye</i>
<i>Councilman Seegmiller</i>	<i>Aye</i>
<i>Councilman Staheli</i>	<i>Aye</i>
<i>Councilman Turek</i>	<i>Aye</i>

F. Consideration to approve an Ordinance adopting General Plan Amendment request G-14-01, to change the land use designation from BP to MD.

Councilman Seegmiller made a motion to approve an Ordinance adopting General Plan Amendment request G-14-01, to change the land use designation from BP to MD. Councilman Nisson seconded the motion; which passed with the following role call vote:

<i>Councilman Nisson</i>	<i>Aye</i>
<i>Councilman Seegmiller</i>	<i>Aye</i>

Councilman Staheli Aye
Councilman Turek Aye

10. REPORT OF OFFICERS FROM ASSIGNED COMMITTEE

Councilman Staheli stated the Cotton Days is coming up. He is excited for the events, and hopes everyone will attend.

11. CITY MANAGER REPORT

City Manager Carter stated the slurry project continues to progress. They plan to slurry Telegraph on May 5th once the Ironman is complete. We recently signed an extension on our market product for our power, which will carry us to 2022. Unfortunately, it does not guarantee rates until 2022. The cemetery expansion is currently underway, and the power generation facility should be completed with a ribbon cutting very soon.

12. ADJOURNMENT

Councilman Turek made a motion to adjourn the meeting. Councilman Nisson seconded the motion; which passed with the following roll call vote:

Councilman Nisson Aye
Councilman Staheli Aye
Councilman Turek Aye

Meeting adjourned at 8:35 P.M.

Passed and approved this 14th day of May 2014.

Attest by:


Danice B. Bulloch, CMC
City Recorder

 Washington City

Kenneth F. Neilson, Mayor

